

REMARKS

The Examiner's Answer mailed April 14, 2010 introduced new grounds of rejection. Pursuant to 37 CFR 41.39, Applicant respectfully requests that the Examiner reopen prosecution for consideration of the amended claims herein. The amendments are related to the new grounds of rejection and no new matter is added. Applicant notes that Examiner Interviews are strongly encouraged to facilitate compact prosecution and resolve any remaining issues.

Claims 1, 2, 6, 7, 11-13, 16-20 and 22-24 are pending in the application. By this Amendment, Claims 1, 19, 20, 22, 23, and 24 are amended. Favorable reconsideration is respectfully requested in light of the following Remarks.

35 USC 101

The Office action rejects Claims 1, 2, 6, 7, 11-13, 16-20, 22-24 under 35 U.S.C. 101 as being directed to non-statutory subject matter. The rejection is respectfully traversed.

Applicant notes that the Supreme Court will soon be rendering a decision (*In re Bilski*) that may impact the claim language for these claims. Applicant requests the opportunity to discuss changes to the claim language via a telephone interview subsequent to the decision if the Examiner believes that changes are necessary.

By this Amendment, Claim 1 is amended to note that the processing is directly tied to a computing device. For example, Claim 1 now includes the computing device in the preamble and further recites *inter alia*, (a) generating a first set of solutions of portfolio allocations in a portfolio configuration space **using the computing device**, the portfolio configuration space having a plurality of dimensions; (b) generating a second set of solutions in a portfolio performance space **using the computing device**, the portfolio performance space having at least three dimensions; each solution in the first set of solutions matching with a corresponding solution in the second set of solutions. (emphasis added)

Withdrawal of the rejection is respectfully requested.

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By this Amendment, Claims 19, 20, 22-24 are hereby amended to traverse the rejection by adopting the USPTO recommended language regarding non-transitory computer readable medium. Withdrawal of the rejection is respectfully requested for these new grounds of rejection.

Applicant has responded with amendments and argument related to the new grounds of rejection. In the Examiner's Answer, the Examiner has maintained the rejection of the claims under 35 USC 103. Applicant refers the Examiner to the Appeal Brief mailed March 10, 2010 starting on page 7 for the explanation in support of Applicant's claims.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance of the application is earnestly solicited. However – Applicant is receptive to telephone interviews to discuss the claims once prosecution is reopened.

Should the Examiner believe anything further would be desirable in order to place the application in better condition for allowance, the Examiner is invited to contact the undersigned attorney at the telephone number listed below.

It is believed that any additional fees due with respect to this paper have already been identified. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge account number 07-0868 in the name of General Electric Company.

Respectfully submitted,

/Scott J. Asmus/
Scott J. Asmus
Reg. No. 42,269

General Electric Company
One Research Circle
Building K1, Room K1-3A-63
Niskayuna, New York 12309
Telephone: (518) 387-4007
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